

Message

From: Newton, Cheryl [Newton.Cheryl@epa.gov]
Sent: 1/29/2021 1:23:37 PM
To: Harris, Michael [harris.michael@epa.gov]; Nam, Ed [nam.ed@epa.gov]; Mooney, John [Mooney.John@epa.gov]; Fong, Tera [Fong.Tera@epa.gov]; Ballotti, Doug [ballotti.douglas@epa.gov]; Schupp, George [schupp.george@epa.gov]; Korleski, Christopher [korleski.christopher@epa.gov]
CC: Syed, Sharmin [Syed.Sharmin@epa.gov]; Nelson, Leverett [nelson.leverett@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]
Subject: RE: Article

Decided to share among the whole team. Thanks!

From: Newton, Cheryl
Sent: Friday, January 29, 2021 7:22 AM
To: Harris, Michael <harris.michael@epa.gov>
Cc: Syed, Sharmin <Syed.Sharmin@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Kaplan, Robert <kaplan.robert@epa.gov>; Sanders, Amy <Sanders.Amy@epa.gov>
Subject: Article

Hi Mike – Per our chat yesterday, this is one of the articles I mentioned seeing where Michael Regan talks about agriculture. Thanks

Agri-Pulse

["Biden's EPA pick talks WOTUS, biofuels, environmental justice, importance of ag, and more"](#)

Sara Wyant

Michael Regan has served as secretary of the North Carolina Department of Environmental Quality since 2017 and now he's ready to enter the national stage as Joe Biden's pick to lead the Environmental Protection Agency.

If confirmed, he'll play a major role in countless decisions impacting air and water quality, climate change, food production, crop protection and rural America in general.

In an exclusive interview, Regan told *Agri-Pulse* that he recognizes the nation's 46th president has a very aggressive agenda, "but we cannot meet our goals without having a very strong partnership with agriculture." He also acknowledged that "we can't regulate our way out of this solely. It will take innovation. It will take partnership. It will take voluntary programs, all of the above, to see our way through this climate emergency and agriculture has such an important role."

Raised in the eastern part of North Carolina, he grew up hunting and fishing with his father and his grandfather, a small farmer who grew peanuts and soybeans, along with a few hogs and chickens. As a result, he understands "the importance of agriculture and the culture of agriculture and that "agriculture has a role in helping us be successful in environmental protection," he said.

Regan believes that environmental protection and economic prosperity are not mutually exclusive, but can go hand in hand, and agriculture fits in that narrative, he said.

In this wide-ranging interview, we asked him a variety of questions, ranging from crop protection to biofuels and environmental justice. Some answers have been edited for brevity.

Several sources tell us that, in North Carolina, you had an “open door” policy and were willing to listen to both sides of an argument. What should folks expect that to look like in Washington?

It's my goal to have it look very similar. Agriculture is such an important industry in North Carolina and is such an important industry to this country, as well. And so, I've always felt that it's very important to use the power of convening and pull all of our stakeholders in and have very robust conversations, quite frankly about some fairly complex issues. ... The goal is to get folks to buy into the journey. We've had some success with that in North Carolina, and I plan to apply that same recipe if confirmed.

The list of environmental issues currently facing you at EPA is very long and Joe Biden has a very ambitious environmental agenda. How will you prioritize these issues during your first six months?

The president-elect has a very ambitious, yet needed environmental agenda. I'm proud to, if confirmed, run point on the EPA agenda. The honest answer is we're going to have to walk and chew gum at the same time. The first goal is to reinvigorate the organization and the staff, make sure that I'm a great partner to the staff and that they know their voices will be heard. We're going to follow the science. We're going to follow the law. And we're going to apply that to the president's ambitious climate agenda, which has a critical role for the ag industry. We're going to tackle water quality issues, again, agriculture will be a significant partner there. And then we're going to look at environmental justice and equity, and agriculture is no stranger to that topic, either.

How quickly do you anticipate you'll be able to get your own staff in place and refill numerous open positions? Do you plan to have someone on your team charged with farm and rural outreach?

Luckily for us, EPA is full of very talented and dedicated public servants; people who have dedicated their lives, and are very passionate about protecting our environment, while growing our economy. And so, we have some really good folks in place. We will work with Congress on ensuring that we have the smoothest path forward. My confirmation, obviously, would be the first I'd hope to be confirmed. But after that we'll work with Congress to line up the confirmation for all of the other political appointees that require Senate confirmation. There are quite a few leadership roles that require that. But in the meanwhile, will rely on the steady hand of the civil servants who are not politically appointed, but very passionate about ensuring EPA's agenda moves forward.

We absolutely plan to have dedicated resources to farm and rural outreach and agricultural issues, whether that's an individual or team of people that we bring together, to be sure that agriculture is a priority. We're going to take a look at that on day one.

My goal is to leverage all of the resources at my fingertips to advance solutions for the agriculture industry. ... We're going to have an open-door policy. We're going to convene everyone we can. There's going to be an all-hands-on-deck approach.

Farmers and ranchers have been focused on the scope of the Waters of the U.S. (WOTUS) for many years. What's your recommendation for the next steps under a new Biden administration?

This is another opportunity for me to, first of all, consult with my legal team at EPA to determine what are all of the options on the table in terms of moving forward from a legal perspective. While they are evaluating that and advising me on the legal path forward, I also plan to convene all of the stakeholders that have been impacted to begin thinking through what we need to do to advance this topic. So, we'll look at the legal path forward and I'll consult with counsel, but we'll also reach out to our stakeholders about what are the avenues outside of litigation to advance this issue. This is a very important issue, and it's been a topic of discussion in North Carolina. It's been a topic of discussion across this country. What I do know is we have to choose a path forward that protects our water quality, protects our natural resources, but also is not overly burdensome on our small farmers. I think there's a way to do it, but it will require conversations and all hands on deck.

Should we anticipate that there will likely be some type of change, and that the status quo will not be acceptable?

I'll have to consult with the litigation counsel at EPA to determine where we are in the litigation and what's advisable there. But I don't foresee any outcomes that closes the door on a robust conversation.

North Carolina is a big pork-producing state with a lot of confined animal feeding operations. Is big necessarily bad when it comes to environmental protection?

We need to be sure that we are enforcing the regulations that are on the books to ensure that the larger farms are in compliance with the law in a way that are protective of our communities, the individuals that are living in these communities, as well as our air quality and water quality. If we need to revisit the law and have additional legislation to ensure that that protection is there, then we should have that conversation. We have to balance the protection of our communities and our water quality with the benefits that these farms produce, in terms of food production and other things. So, I would say that we need to revisit some of the larger production facilities to be sure that they are applying the rule of law, science and technology in a way that protects the farmer as well as the community and the water quality and air quality surrounding.

Expanding biofuel usage and implementing the Renewable Fuel Standard is another big topic of concern. Tell us more about how you view biofuels and their role in addressing climate change. What's your opinion on small refinery exemptions?

The president-elect has not been shy in indicating that biofuels, especially advanced biofuels, will be critical to help meet his ambitious climate agenda. I agree with that. Advanced biofuels will be very important. We will take a look at all of the science. We'll take a look at the laws that are on the books in terms of the applicability of these advanced biofuels, the application of new technology, and we will push that agenda with our agriculture partners in a way that demonstrates that agriculture can be part of the solution for mitigating this climate emergency.

I'll spend a lot of time with the experts at EPA evaluating the Renewable Fuel Standard, and its application. And the law is pretty clear in terms of small refinery exemptions. What I can pledge is, we will follow the law and will be transparent about how we're following the law. And the decisions that will be made by the agency will not be done as a surprise, but will be made through a transparent stakeholder engagement process where everyone can at least understand how the agency arrived at decisions.

Does the future of advanced biofuels include corn-based ethanol?

Corn ethanol is the traditional term used for biofuels. As we start to look at the science, that definition may evolve, based on best management practices, and the processing and the like. When you look at the full life-cycle of corn ethanol, and the evolution of how ethanol is produced and distributed, then it's somewhere on that trajectory that it fits within that definition.

There has been a lot of new science and innovation in the crop protection industry in recent years. But it's still very costly and time consuming to bring a new product through registration and to market. Do you have any ideas about new ways to speed the process while focusing on safety?

What I would say is I've taken a look at the President's agenda with climate and beyond; taken a look at the full approach of government. What I plan to do as EPA Administrator, if confirmed, is partner with Secretary nominee Vilsack and Secretary nominee Granholm at the respective departments of agriculture and energy to ensure that we are putting the right research and development resources into bringing these new products through registration, and to market at a commercial level. There are also ways that we can collectively, put our heads together at three cabinet agencies to be sure that we're looking at all of the inefficiencies in the process, and streamline as much as possible. So, I believe, in collaboration, not only with the stakeholders that our decisions are impacting, but also the partners that I have across the other cabinet agencies and look forward to engaging with them on this.

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Will EPA reverse course on FIFRA 24(c), which historically has allowed states to add restrictions to federal registrations, but which EPA now wants to be used only to allow more uses, or less restrictive use?

I'll spend some time with our counsel and the experts at EPA who have been following this issue to determine the best course of action. As the secretary of an environmental agency at the state level, my views are that cooperative federalism — when applied — really works. This is when the federal government sets the baseline, and then states have flexibility and autonomy to go beyond that baseline and apply it the way the state views is the most reasonable within the rule of law, because states are so much more familiar with their community and their constituencies. We would not want to move forward and restrict that flexibility that states have enjoyed for so long, so we'll be taking a look at that. But I'll be consulting with the experts on the particulars.

You've emphasized your commitment to environmental justice. What will be your first steps to accomplish this goal?

One of the top agenda items for the president-elect is environmental justice and equity. He is looking at a cabinet-level approach. What I hope to do if confirmed, is to consult with all of the experts at EPA who have been focused on this issue for so long, partner with Brenda Mallory at (the White House Council on Environmental Quality), but also partner with all of my fellow cabinet members to take a look at what we can do collectively to ensure that those who are disproportionately impacted are not only not disproportionately impacted, but that we are collectively investing resources into those communities as well. That is a topic that is near and dear to my heart. It is something that I have been working on for quite some time. I look forward to rolling up my sleeves and really getting to work on this issue. This is a marathon issue. There are a lot of tough issues that need to be resolved.

The pandemic has disrupted so many parts of our country, including food production and distribution. How do you find the right balance between the need to provide food security and the concerns of those who don't think there are enough restrictions on the way we produce food?

This is an excellent example of government itself not having all of the answers and the importance of convening diverse stakeholders to have robust discussions like this one. It's very important for all of the stakeholders — those who are impacted by EPA decisions — to understand the process that we're using to make these decisions, the science behind it, the laws that we're following, and understand that when we come to a solution which we hope is pragmatic, they can see themselves in that answer. ... What I found in North Carolina is when we've taken that approach, usually stakeholders are much more appreciative of the results, even if they don't completely agree 100% with the results. So, I will apply that recipe to this issue as well. It's worked for us in North Carolina and I believe it can work for the greater part of this country as well.

Utility Dive: "Biden moves to rejoin Paris climate accord on first day in office, signs order to quickly review Trump regulatory actions"

<https://www.utilitydive.com/news/biden-moves-to-rejoin-paris-climate-accord-on-first-day-in-office-signs-or/593692/>
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